IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Applicants

Mark C. Schmidt et al.

Application Serial No.:

10/611,813

Filing Date:

July 1, 2003

Title:

WIRELESS LASER SCANNING BAR CODE SYMBOL READING SYSTEM EMPLOYING A LOW BATTERY PROTECTION CIRCUIT, VIBRATIONAL ALARM AND

SLEEP MODE OF OPERATION

Examiner

Ahshik Kim

Group Art Unit

2876

Attorney Docket No. :

108-194USANA0

Honorable Honorable Commissioner of

Patents and Trademarks Washington, D.C. 20231

TERMINAL DISCLAIMER (37 CFR 1.321(b))

SIR:

Your Petitioner, Metrologic Instruments, Inc., represents that it is the sole owner of the entire interest of the above-identified application.

Your Petitioner hereby disclaims the terminal period of any patent issuing on the above-referenced application that would extend beyond the expiration of the full statutory term of U.S. Patent No. 6,595,420, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent is the same as the legal title to U.S. Patent No. 6,595,420, and that this agreement shall run with any patent so granted on the above-referenced application, and shall be binding upon the grantor, its successors, and assigns.

Your Petitioner does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of said U.S. Patent No. 6,595,420 in the event that such patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F. R. Section 1.321(c); has all claims canceled by a reexamination certificate; or is otherwise terminated prior to the expiration of its full statutory term, except for a separation of legal title as stated above.

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This Terminal Disclaimer is being signed under the provisions of 37 C.F.R. Section 1.321(b)(1)(iv). The Commissioner is hereby authorized to charge the requisite fee of \$130.00 as well as any fee deficiencies to Deposit Account 16-1340. A duplicate of this document is enclosed herewith.

Respectively submitted,

Dated: September 12, 2005

Thomas J. Perkowski, Esq.
Reg. No. 33,134
Attorney for Applicants
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
http://www.tjpatlaw.com

CERTIFICATE OF FIRST CLASS MAIL UNDER 37 CFR 1.08

I hereby certify that this correspondence is being deposited with the United States Postal Service on September 12, 2005, as First Class Mail, in a prepaid postage envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Thomas J. Perkowski, Esq. Dated: September 12, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Applicants : Mark C. Schmidt et al.

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Ahshik Kim

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2876

Attorney Docket No.:

108-194USANA0

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

CERTIFICATE UNDER 37 C.F.R §3.73(b)

SIR:

Metrologic Instruments, Inc., a corporation of New Jersey, certifies that it is the Assignee of the entire right, title, and interest in the patent application identified above by virtue of the Assignment recorded in the USPTO for prior Application No. 10/342,433 on February 17, 2004 at Reel 14345 and Frames 422-435. A copy of the Assignment document is enclosed herewith.

Metrologic Instruments, Inc. also certifies that it is the Assignee of the entire right, title, and interest in U.S. Patent No. 6,595,420 by virtue of the Assignment recorded in the USPTO on February 16, 2000 at Reel 10391 and Frames 385-394. A copy of the Assignment document is enclosed herewith.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the Assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectively submitted,

Dated: September 12, 2005

Thomas J. Perkowski, Esq. Reg. No. 33,134

Attorney for Assignee of Record Thomas J. Perkowski, Esq., P.C. Soundview Plaza 1266 East Main Street Stamford, Connecticut 06902

203-357-1950 http://www.tjpatlaw.com

CERTIFICATE OF FIRST CLASS MAIL UNDER 37 CFR 1.08

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Commissioner for Patents

P.O. Box 1450 Alexandria, VA 22313-14

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Thomas J. Perkowski, Esq. Dated: September 12, 2005

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UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231



FEBRUARY 22, 2000

THOMAS J. PERKOWSKI, THOMAS J. PERKOWSKI

SOUNDVIEW PLAZA

1266 EAST MAIN STREET

STAMFORD, CONNECTICUT

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723: PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/16/2000

REEL/FRAME: 010391/0385 THOMAS J. PERKOWSKI ESQ., P.C.

NUMBER OF PAGES: 9

BRIEF: COPY OF ASSIGNMENT

MAR 06 2000

ASSIGNOR:

WILZ, DAVID M.

DOC DATE: 01/07/2000

ASSIGNOR:

ROCKSTEIN, GEORGE

DOC DATE: 01/07/2000

ASSIGNOR:

BLAKE, ROBERT

DOC DATE: 01/07/2000

ASSIGNOR:

SCHMIDT, MARK

DOC DATE: 01/07/2000

ASSIGNOR:

RUSSELL, GARRETT

DOC DATE: 01/07/2000

ASSIGNOR:

HUDRICK, DONALD T.

DOC DATE: 01/07/2000

ASSIGNOR:

COLAVITO, STEPHEN

DOC DATE: 01/07/2000

010391/0385 PAGE 2

ASSIGNOR:

KNOWLES, C. HARRY

DOC DATE: 01/08/2000

ASSIGNEE:

METROLOGIC INSTRUMENTS, INC. 90 COLES ROAD

BLACKWOOD, NEW JERSEY 08012

SERIAL NUMBER: 09452976

PATENT NUMBER:

FILING DATE: 12/02/1999

ISSUE DATE:

ALLYSON PURNELL, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

Attorney Docket: 108-078USA000

PATENT ASSIGNMENT

For value received we, David M. Wilz, Sr., George Rockstein, Robert Blake, Mark Schmidt, Garrett Russell, Donald T. Hudrick, Stephen J. Co avito, and C. Harry Knowles, hereby sell, assign and transfer to Metrological struments line, a corporation of New Jersey, having a place of business at 90 Coles Road, Blackwood, New Jersey 08012, as assignee, and its successors, assigns and legal representatives, the entire rights, title and interest, for all countries sing and to certain sinventions disclosed in the U.S. Application entitled "AUTOMATICALLY-ACTIVATED HAND-SUPPORTABLE LASER SCANNING BAR CODE SYMBOL READING SYSTEM WITH DATA TRANSMISSION ACTIVATION SWITCH," filed December 2, 1999, for Letters Patent of the United States, and all the rights and privileges under any and all Letters Patent that may be granted therefor.

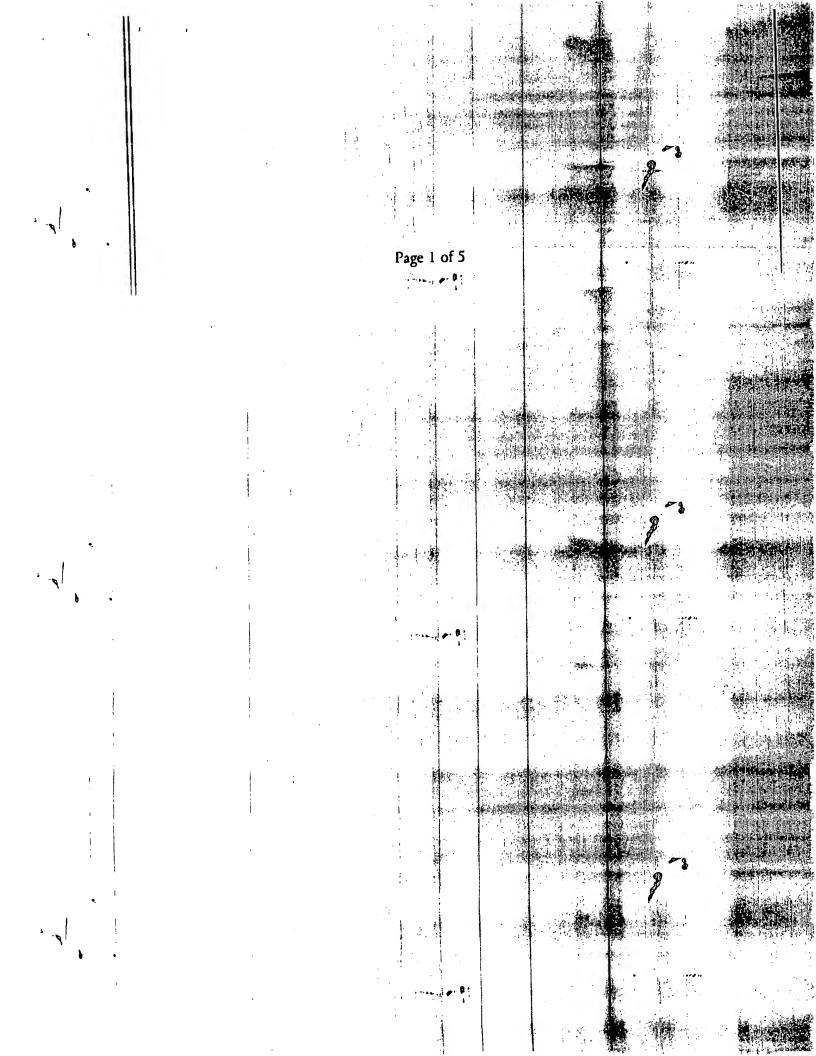
We request that any and all patents for said invention be issued to said assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

We agree that, when requested, we will, without charge to said assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said assignee, its successors, assigns and legal representatives or nominees.

We authorize and empower said assignee its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said invention filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

We covenant with said assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.



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| Patent Assignment | | |
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| | Stephen J. Colavito State of New Jersey)) ss: County of Gloucester) | | | 94 |
| | This day before me personally appeared STEPHEN J. acknowledged the foregoing instrument and subscribed by his deed. Kelly Dotal Notary Public | COLAVITO m to be his f | who ee act And | |
| | Signed at Blackwood, New Jersey this <u>Q</u> day of January, 2000 C. Harry Knowles | KELLY A NOTARY PUBLIC (Commission Expir | DOTY S NEW JERSEY S 1/21/2002 | |
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Notary Public KELLY A. DOTY

NOTARY PUBLIC OF NEW JERSEY

Commission Expires 1 21 / 2002

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OF PATENTS AND TRADEWARKS
Weshington, D.C. 20231 FEBRUARY 19, 2004 *700066661A* PTAS THOMAS J. PERKOWSKI, ESQ. 1 66 EAST MAIN STREET SCUNDVIEW PLAZA CT 06902 STAMFORD, UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE, A COMPLETE MICROFILM CORE IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME VIMBER REFERENCED BELOW. INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU ALY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-818-9523. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSO DAVIS HWY, SUITE 321, WASHINGTON, D.C. 20231. PIEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE REEL/FRAME: 014345/042 NUMBER OF PAGES: 13 RECORDATION DATE: 02/17/2004 ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS). BRIEF: ASSIGNOR. DOC DATE: 07/25/203 SCHMIDT, MARK ASSIGNOR: DOC DATE: 07/25/2003 RUSSELL, GARRETT ASSIGNOR: DC DATE: 07/31/2003 WILZ, DAVID M., SR ASSIGNOR: DOC DATE: 07/31/2003 BLAKE, ROBERT A SIGNOR: DEC DATE: 07/31/2013 DONALD T. HUDRICK,

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ASSIGNOR:

COLAVITO, STERHEN

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Attorney Docket: 108-194USA000

PATENT ASSIGNMENT

For value received we, Mark Schmidt, Garrett Russell, David M. Wilz, Sr., Robert Blake, Donald T. Hudrick, Stephen J. Colavito, C. Harry Knowles, George Rockstein, Xiaoxun Zhu, John Bonanno, Sung Byun, Congwei Xu, Min Jiang, Lin Wang, Meng Hu, Hongjian Jin, MingQing Ji, Shamei Shi, Ka Man Au and Patrick Giordano, hereby sell, assign and transfer to Metrologic Instruments, Inc., having a place of business at 90 Coles Road, Blackwood, New Jersey 08012, and a state of incorporation in New Jersey, as assignee, and its successors, assigns and legal representatives, the entire rights, title and interest, for all countries in and to certain inventions disclosed in U.S. Application Number 10/342,433 entitled "AUTOMATICALLY-ACTIVATED WIRELESS HAND-SUPPORTABLE LASER SCANNING BAR CODE SYMBOL READING SYSTEM WITH DATA TRANSMISSION ACTIVATION SWTICH. AND AUTOMATIC COMMUNICATION RANGE DEPENDENT CONTROL", filed January 12, 2003 for Letters Patent of the United States, and all the rights and privileges under any and all Letters Patent that may be granted therefor.

We request that any and all patents for said invention be issued to said assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

We agree that, when requested, we will, without charge to said assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said assignee, its successors, assigns and legal representatives or nominees.

We authorize and empower said assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said invention filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the sald assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

We covenant with said assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

Metrologic Instrum Application No. 10/2-4 Signed at Blackwood, New Jersey State of New Jersey) ss: County of Camden This day before me personally appeared MARK SCHMIDT who acknowledged the foregoing instrument and subscribed by him to be his free act and deed. Notary Public of New Jersey Commission Expires Jan 21, 2007 Signed at Blackwood, New Jersey on this day of 725-03 State of New Jersey) ss: County of Camden This day before me personally appeared GARRETT RUSSELL, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed. KELLY A. DOTY Notary Public of New Jersey Commission Expires Jan 21, 2007 Page 2 of 11

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| Metrologic Instrum, Inc. Application No. 10, 42,433 | |
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| Signed at Blackwood, New Jersey on this day of | |
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| Patent Assignment in favor of Metrologic Instrume, Inc. Application No. 10/5-2,433 | |
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| Signed at Blackwood, New Jersey on this day of | |
| State of New Jersey) | C. Harry Knowles |
| County of Camden) ss: | |
| This day before me personally app the foregoing instrument and subscribed | peared C. HARRY KNOWLES, who acknowledged by him to be his free act and deed |
| | Keel a Doty |
| | Notary Public () KELLY A. DOTA Notary Public of New Jersey |
| Signed at Blackwood, New Jersey | Commission Expires Jan;21, 2007 |
| on this day of $\frac{3-1-0.3}{}$ | Bug Cath (L.S.) |
| | George Rockstein |
| State of New Jersey)) ss: County of Camden) | |
| | peared GEORGE ROCKSTEIN, who acknowledged by him to be his free act and deed. |
| me foregoing monument take substitute | Keely a Doty |
| | Notary Public |
| | KELLY A. DOTY Notary Public of New Jersey |
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| Metrologic Instrume Application No. 10/2-12 | Inc. | | | 7 | • |
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| Signed at Blackwood, No. on this day of 7/22 | ew Jersey /2003 | | | 9 | |
| | | Xiao Yun Zhu | Du | (L.S.) | |
| State of New Jersey County of Camden |)) ss:) | | | | |
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| | | Neton | ELLY A. DOTY Public of New on Expires Jan | Jersey 21, 2007 | 3 |
| Signed at Blackwood, Non this day of | ew Jersey | A170 | | L.S. |) |
| G. J. C.V James | ` | John Bonanno | | | , |
| State of New Jersey County of Camden |) ss:) | | | | |
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| Metrologic Instrum, Inc. Application No. 10/2-2.433 | |
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| Signed at Blackwood, New Jersey | |
| on this day of $\frac{7/34/63}{}$. | |
| | (L.S.) |
| | Sung Byun |
| Character Torrow | |
| State of New Jersey) ss: | |
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| foregoing instrument and subscribed by him | red SUNG BYUN, who acknowledged the to be his free act and deed. |
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| | KELLY A. DOTY |
| | Notary Public of New Jersey Commission Expires Jan 21, 2007 |
| Signed at Suzhou, Jinagsu Province, P.R.C. | Commission Expires that 21, 2507 |
| on this day of 2003. 6)- 22 | |
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| | Congwei Xu |
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| State of New Jersey) County of Camelen) ss: | |
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| Metrologic Instrum, Inc. | |
| Application No. 10/2-42,433 | |
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| Signed at Suzhou, Jinagsu Province, P.R.C. on this day of | |
| | Min Jiane (LS.) |
| · | Min Jiang (L.S.) |
| CALCUTE DOL | |
| 6 tate of New Jersey)) ss: (ount-(of (amelen)) | |
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